

### III. Remarks

Reconsideration and allowance of the subject application are respectfully requested.

Claims 2-5, 7, 11-13, and 15-20 are pending in the application. Claims 2, 7, 11, 12, 15, 16, 17, 18, 19, and 20 are independent.

Inventor Adam Richardson, Applicants' Canadian representative Mr. Matt Powell, and the undersigned would like to thank Examiner Nguyen for the cordial and productive interview of December 19, 2007. The Examiner's helpful comments and suggestions were instrumental in preparing this response.

As discussed at the interview, the specification has been amended to describe the longitudinal axis inherent in the structure depicted, *inter alia*, in Figs 1A and 1B. As the longitudinal axis is inherent in such structure, no new matter has been added.

In the prior Office Action, Claims 2-5, 7, 11-13, and 15-20 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-14 of U.S. Patent No. 7,028,782. While Applicants respectfully traverse all such rejections, Applicants have previously submitted a Terminal Disclaimer with respect to the '782 Patent.

Claims 2-5, 7, 11-13, and 15-20 were rejected as being unpatentable over Holland, Kirchoff, and Parkinson, for the reasons discussed at pages 3-6 of the Office Action. Applicants respectfully traverse all art rejections.

As discussed at the interview, one aspect of the present invention is the unique combination of structure and/or function whereby at least a portion of a **gas** is **filtered out** of the discharging gas mixture. See, for example, filters/screens 13 in Fig. 1B and the description at paragraph [0038] of the subject application. This aspect is set forth in independent Claims 2, 7, 12, and 15. These claims have been amended herein for clarity with respect to the specification.

In contrast, and as discussed at the interview, Kirchoff has screens 22 which do not **filter out** any **gas**. For example at Column 4, lines 5-9, Kirchoff discloses that the produced gases actually pass through the screens:

The gases thus produced then pass through the fine filtering screens 22, into a plenum chamber created by the plurality of layers of coarse screens 24, that act as spacers to space the filter 22 away from the end of the container 14.

As discussed at the interview, while Column 3, lines 9-34 of Kirchoff generally describe the filters 22, they do not explain what they are intended to do. Inventor

Adam Richardson stated at the interview that he believes that these screens are used to filter out solid particles which are produced when the device of Kirchoff generates the gas. In any event, Applicants submit that Kirchoff fails to disclose or suggest the filtering out of any gas, as claimed in independent Claims 2, 7, 12, and 15.

As also discussed at the interview, another aspect of the present invention is the unique combination of structure and/or function whereby a diffuser is attached to the generator to direct the gas discharged therefrom. For example, see Figs 2A-2D for: a perforated diffuser, a 180° diffuser, a 360° diffuser, and a 90° diffuser, respectively. The diffuser features according to the present invention are set forth, *inter alia*, in independent Claims 11, 16, 17, 18, 19, and 20.

In contrast, and as also discussed at the interview, Kirchoff discloses a perforated annulus 33. However, the perforated annulus does not change the direction of the gas mixture discharged from the generator housing. Accordingly, the salient features of the diffuser claims are nowhere disclosed or suggested by the cited art.

Lastly, as also discussed at the interview, Applicants would like to bring to the Examiner's attention two co-pending patent applications, to another, which are also directed to fire suppression technology. These co-

pending applications (10/727,088 - Blau et al., and 11/409,257 - Blau et al.) are pending before Examiner Davis Hwu in Group Art Unit 3752.

In view of the above, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3507. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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